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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

11 JESSIE CATHARINE NEW,  
12 Petitioner,  
13 v.  
14 FDC SEATAC,  
15 Responder

CASE NO. C05-5663RBL

## **REPORT AND RECOMMENDATION**

**NOTED FOR:  
February 17<sup>th</sup>, 2006**

This 28 U.S.C. § 2241 petition for habeas corpus relief has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636 (b) and local Rules MJR 3 and 4. Petitioner is proceeding *pro se* in this 28 U.S.C. § 2241 habeas corpus which challenges her being held at the Sea-Tac Federal Detention Center. The court learned that on October 11<sup>th</sup>, 2005 Ms. New was transported to Alaska on a warrant. The court entered an order giving petitioner thirty days to provide a current address. (Dkt. # 3).

On December 19<sup>th</sup>, 2005 petitioner filed a motion asking that this action be transferred to a court in Alaska.. From the pleading it appears petitioner wants the action transferred to "Palmer

1 Court ,435 South Denali, Palmer AK, 99645-6437. In her motion petitioner states she is under  
2 arrest and that correspondence should be sent to 2210 Tumagain, Apt A, Anchorage, AK.  
3 99515. (Dkt. 3).

4 Petitioner does not ask for transfer to the United States District Court of Alaska which is  
5 in Anchorage. Nor does it appear that petitioner has exhausted any issue in state court regarding  
6 her arrest or extradition.

7 While this action may will belong in an Alaska state court it is petitioner who would need  
8 to file the action or contest her extradition in state court through counsel in her criminal  
9 proceedings. Accordingly the court recommends that this action be **DISMISSED WITHOUT**  
10 **PREJUDICE**. A proposed order accompanies this report and recommendation.

11 Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal rules of Civil Procedure,  
12 the parties shall have ten (10) days from service of this Report to file written objections. *See*  
13 *also* Fed. R. Civ. P. 6. Failure to file objections will result in a waiver of those objections for  
14 purposes of appeal. Thomas v. Arn, 474 U.S. 140 (1985). Accommodating the time limit  
15 imposed by Rule 72(b), the clerk is directed to set the matter for consideration on February 17<sup>th</sup>,  
16 2006, as noted in the caption.

17 DATED this 13<sup>th</sup> day of January, 2006.  
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23 Karen L. Strombom  
United States Magistrate Judge  
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